IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 11TH OCTOBER 2006 / 19TH ASWINA 1928

Bail Appl..No. 6053 of 2006(B)

CMP.1951/2006 of J.M.F.C.,PERAMBRA
CRIME NO.46/2006 OF BALUSSERY EXCISE RANGE

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PETITIONER/ACCUSED

BIJU, S/O.KRISHNAN,
KUNIYIL, NOCHAD AMSOM, VELLIYOOR DESOM,
KOZHIKODE DISTRICT.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED BY
THE EXCISE INSPECTOR, BALUSSERY RANGE THROUGH
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/10/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6053/2006

DATED THIS THE 11TH DAY OF OCTOBER, 2006

O R D E R

The petitioner was arrested on 20.9.2006, with four litres of illicit arrack, by the Inspector of Excise Range, Balussery, who registered C.R.No.46/2006 of that Excise Range, under Section 8(1) of the Abkari Act. He remains in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. After hearing both sides and considering the duration of the judicial detention, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Perambra.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 17.10.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs